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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 NORMAN GOTCHER, JR.,)
11)
12 Plaintiff,) CASE NO. C06-598-RSL-MJB
13 v.)
14) ORDER DISMISSING ACTION
15 HAROLD CLARKE, *et al.*,)
Defendants.)
_____)

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17 This is a civil rights action brought under 42 U.S.C. § 1983. The Court received this
18 action for filing on April 28, 2006. On June 21, 2006, this Court issued an Order denying
19 petitioner's application to proceed *in forma pauperis* on the grounds that plaintiff's application
20 was barred by 28 U.S.C. § 1915(g). The Court granted plaintiff thirty days to pay the filing fee
21 and advised him that his failure to timely pay the fee would result in dismissal of this action.

22 On July 7, 2006, plaintiff filed a "reply" to the Court's June 21, 2006, Order in which he
23 objected to the Court's denial of his application to proceed *in forma pauperis*. The Court
24 construed plaintiff's reply brief as a motion for reconsideration, and issued an Order denying the
25 motion for reconsideration on August 2, 2006.

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1 Over thirty days have now passed since the Court denied plaintiff's motion for
2 reconsideration and plaintiff has yet to pay the filing fee. Accordingly, the instant action is
3 DISMISSED without prejudice.

4 The Clerk is directed to send copies of this Order to petitioner and to the Hon. Monica J.
5 Benton.

6 DATED this 12th day of September, 2006.

7 

8 Robert S. Lasnik
9 United States District Judge

10 Recommended for entry this
11 8th day of September, 2006.

12 Monica J. Benton
13 MONICA J. BENTON
14 United States Magistrate Judge